

United States District Court  
for the  
Northern District of West Virginia

Request for Modifying the Conditions of Supervision  
with Consent of the Offender  
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Daniel Wilson Testerman

Case Number: 1:05CR04

Name of Sentencing Judicial Officer: Honorable Irene M. Keeley, U. S. District Judge

Date of Original Sentence: May 16, 2006

Original Offense: Possession of Child Pornography  
Receipt of Child Pornography (Three Counts)

Original Sentence: 60 months imprisonment on Count One; 108 months imprisonment on Counts Two, Three and Four, all concurrent/3 years supervised release each count, concurrent

Type of Supervision: Supervised Release

Date Supervision Commenced: January 23, 2014

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**PETITIONING THE COURT**

To extend the term of supervision for      years, for a total term of      years.  
 To modify the conditions of supervision as follows:

1. The defendant shall not purchase, possess or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids or other designer stimulants.
2. The defendant shall not frequent places that sell or distribute synthetic cannabinoids or designer stimulants.

**CAUSE**

The above conditions will allow the officer to effectively monitor the defendant and intervene quickly if criminal conduct is suspected.



Respectfully submitted,

by

Vincent T. Zummo

Vincent T. Zummo  
Senior U. S. Probation Officer  
Date: June 16, 2014

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THE COURT ORDERS:

- No Action
- The Extension of Supervision as Noted Above
- The Modification of Conditions as Noted Above
- Other



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Signature of Judicial Officer

June 16, 2014

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Date

PROB 49  
(3/89)

UNITED STATES DISTRICT COURT  
for the  
Northern District of West Virginia

**Waiver of Hearing to Modify Conditions  
of Supervised Release of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release:

1. The defendant shall not purchase, possess or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids or other designer stimulants.
2. The defendant shall not frequent places that sell or distribute synthetic cannabinoids or designer stimulants.

Witness: Vincent J. Gammie Signed: Daniel Costerman  
U.S. Probation Officer Probationer or Supervised Releasee

6-11-14

DATE